

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
PLANO DIVISION

TRENISS JEWELL EVANS III  
DOMINIC PEZZOLA,  
EDWARD JACOB LANG

*Plaintiffs*

*Vs.*

THE SELECT JANUARY SIX  
COMMITTEE,  
BENNIE THOMPSON, ADAM  
SCHIFT, ZOE LOFGREN, ELAINE  
LURIA, PETE AGUILAR,  
STEPHANIE MURPHY, JAMIE  
RASKINS, ELIZABETH CHENEY,  
ADAM KINZINGER

*Defendant(s)*

Case No. 4:22-cv-00682-SDJ

*"Whenever the people are well informed, they can be trusted with their own government; that whenever things get so far wrong as to attract their notice, they may be relied on to set them to rights."  
Thomas Jefferson to Richard Price, January 8, 1789*

*"A truth will always remain a truth even if there is only one person claiming for it, and no one is up to believe it. In today's world, it has been really easy to manipulate statements, but it is essential to understand that even if no one believes a truth, it will still remain a truth." W.E.B. Dubois At time © Source:*

<https://www.quotespedia.org/authors/u/unknown/the-truth-is-still-the-truth-even-if-no-one-believes-it-a-lie-is-still-a-lie-even-if-everyone-believes-it-unknown/>

jurisdiction onto the federal courts in this matter is inapplicable pursuant to the statutory terms of 28 U.S.C. § 1332(a)(b)and(c) whereas no monetary amounts are being sought in the matter. Accordingly, this cause of action is predicated under the provisions of law pursuant to Article III, Section 2, Clause 1.

### VENUE OF THE COURT

Proper venue of the Court rest upon 28 U.S.C. § 1391(e)(1)(A)(C).<sup>4</sup> In that, the gravamen of this cause is predicated upon officers, employees or agencies of the United States while acting in their official capacity, has exceeded the legal authority sanctioned by the Constitution of the United States.

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another State, between Citizens of different States,—between Citizens of the same State claiming Lands under Grants of different States, and between a State, or the Citizens thereof, and foreign States, Citizens or Subjects.

<sup>4</sup> **(e)ACTIONS WHERE DEFENDANT IS OFFICER OR EMPLOYEE OF THE UNITED STATES.—**

**(1)IN GENERAL.—**

A civil action in which a defendant is an officer or employee of the United States or any agency thereof acting in his official capacity or under color of legal authority, or an agency of the United States, or the United States, may, except as otherwise provided by law, be brought in any judicial district in which (A) a defendant in the action resides, or (C) the plaintiff resides if no real property is involved in the action. Additional persons may be joined as parties to any such action in accordance with the Federal Rules of Civil Procedure and with such other venue requirements as would be applicable if the United States or one of its officers, employees, or agencies were not a party.

## **CIVIL COMPLAINT ARTICLE III, SECTION 2**

This action commences for injunctive relief against a legislative branch of government<sup>1</sup> pursuant to the provisions of Article III, Section 2 to the Constitution of the United States, and 42U.S.C. § 1985(2)(3)<sup>2</sup>, whereas the United States District Court for The Eastern District of Texas has subject matter jurisdiction over all matters of law and equity pertaining to this cause.

### **PERSONAL JURISDICTION OVER THE PARTIES**

Jurisdiction over the persons of the parties is invoked onto this Court under Article III, Section 2, Clause 1<sup>3</sup> to the United States Constitution, in that, diversity

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<sup>1</sup> See - *Board of Trustees of Univ. of Alabama v Garrett*, 531 U.S. 356 (2001) where the Supreme Court articulates the distinction between the Legislative Branch and Judicial Branch of government. ...“very much a task for legislators guided by qualified professionals and not by the perhaps ill-informed opinions of the judiciary.”

<sup>2</sup> 42 U.S.C § 1985 (2)...or to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror

(3) or if two or more persons conspire to prevent by force, intimidation, or threat, any citizen who is lawfully entitled to vote, from giving his support or advocacy in a legal manner, toward or in favor of the election of any lawfully qualified person as an elector for President or Vice President, or as a Member of Congress of the United States; or to injure any citizen in person or property on account of such support or advocacy

<sup>3</sup> The judicial Power shall extend to all Cases, in Law and Equity, arising under this Constitution, the Laws of the United States, and Treaties made, or which shall be made, under their Authority;—to all Cases affecting Ambassadors, other public Ministers and Consuls;—to all Cases of admiralty and maritime Jurisdiction; to Controversies to which the United States shall be a Party;—to Controversies between two or more States; between a State and Citizens of

### ABOUT THE PARTIES

I. TRENISS JEWELL EVANS III, known from hereinafter as “Evans”, who is a private citizen and is the primary plaintiff to this cause, resides in the state of Texas.

II. DOMINIC PEZZOLA, known from hereinafter as “Pezzola”, who is a private citizen and is a plaintiff to this cause, resides in the state of New York.

III. EDWARD JACOB LANG, known from hereinafter as “Lang”, who is a private citizen and is a plaintiff to this cause, resides in the state of New York.

IV. DONALD J. TRUMP, known from hereinafter as “Trump”, who is a private citizen but is *not* a plaintiff to this cause, resides in the state of Florida. Trump has a place of residence at 1100 S. Ocean Blvd, Palm Beach, FL 33480.

V. THE SELECT COMMITTEE ON JANUARY SIX, known from hereinafter as “the Committee” is a defendant to this cause and a corporate entity of the United States with its corporate base of operations having been located at First St SE, Washington, DC 20004, for the purpose of proper service.

VI. BENNIE THOMPSON, known from hereinafter as “Thompson” is a defendant to this cause and resident of the state of Mississippi. Thompson is Chairperson for the Select Committee on January Six. Thompson also serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.



VII. ADAM SCHIFF, known from hereinafter as “Schiff” is a defendant to this cause and a resident of the state of California. Schiff is a member and active participant to the Select Committee on January Six. Schiff serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.

VIII. ZOE LOFGREN, known from hereinafter as “Lofgren” is a defendant to this cause and is a resident of the state of California. Lofgren is a member and active participant to the Select Committee on January Six. Lofgren serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service..

IX. ELAINE LURIE, known from hereinafter as “Lurie” is a defendant to this cause and is a resident of the Commonwealth of Virginia. Lurie is a member and active participant to the Select Committee on January Six. Lurie serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.

X. PETER “PETE” AGUILAR, known from hereinafter as “Aguilar” is a defendant to this cause and is a resident of the state of California. Aguilar is a member and active participant to the Select Committee on January Six. Aguilar serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.

XI. STEPHANIE MURPHY, known from hereinafter as “Murphy” is a defendant to this cause and is a resident of the state of Florida but is a member and active participant to the Select Committee on January Six. Murphy serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.

XII. JAMIE RASKIN, known from hereinafter as “Raskin” is a defendant to this cause and is a resident of the state of Maryland. Raskin is a member and active participant to the Select Committee on January Six. Raskin serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.

XIII. ELIZABETH “LIZ” CHENEY, known from hereinafter as “Cheney” is a defendant to this cause and is a resident of the state of Wyoming. Cheney is a member and active participant to the Select Committee on January Six. Cheney serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.

XIV. ADAM KINZINGER, known from hereinafter as “Kinzinger” is a defendant to this cause and is a resident of the state of Illinois. Kinzinger is a member and active participant to the Select Committee on January Six. Kinzinger serves as an agent or officer of the Corporation United States with a base of operation at First St SE, Washington, DC 20004, for the purpose of proper service.

## BACKGROUND

1. DONALD J. TRUMP, known from hereinafter as “Trump” is a political republican and is the (former) 45<sup>th</sup> President of the United States of America.
2. On November 3, 2020 and during the course of the federal general election for what would have been Trump’s second term to the Office of the President, a series of what arguably may be described as a massive coup was executed against Trump, which included various instances of ballot harvesting and voter fraud throughout the sovereign states of the Union.
3. Many citizens of the Union believe that the successful execution of the aforesaid alleged coup afforded the Office of the President to democratic challenger JOSEPH R. BIDEN known from hereinafter as “Biden”.
4. On or about December 16, 2020, Trump invited his political grass root supporters from the Union to Washington, District of Columbia, in a constitutional assemblage for Americans who were aggrieved by the flagrancy in which the alleged presidential coup was allowed to transpire by members from both, the Legislative and Judicial Branches of federal government.
5. The invitees in attendance numbered more than two million American citizens from every state of the Union, Territory and Possession.

6. At approximately noon on the date of January 6, 2021, Trump delivered a public address to the American citizens who had gathered collectively on the grounds of the Washington Ellipse.

7. Shortly after Trump concluded his speech and returned to the interior of the White House, violence erupted between Trump supporters and a variety of local and federal uniformed police departments assigned to the Washington, DC area<sup>5</sup>.

8. At approximately 4:10 pm EST, EVANS, was recorded on commercial video while using a portable megaphone device by journalist SANDY BACHROM known from hereinafter as “Bachrom”.

9. EVANS was recorded while reciting words from Trump that were made during one of the President’s earlier public addresses on that day, to wit:

“Mike Pence did not have the courage to do what should have been done to protect our country and our Constitution, giving the states the chance to certify a corrected set of facts, not the fraudulent or incorrect ones which they were asked to previously certify. USA demands the truth!”

10. EVANS was subsequently charged by way of Criminal Indictment by the federal government in connection with the events that transpired at the U.S. Capitol that day.

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<sup>5</sup> To the date of this filing, identification of the true instigators to the civil unrest has yet to be determined in spite of the arrest by the federal government of nearly one thousand American citizens from all across the United States.

11. On January 6, 2021, LANG and PEZZOLA, joined with the large mass of fellow American citizens on the grounds of the Washington DC Ellipse, where they also witnessed the public speech performed by President Donald J. Trump.

12. Shortly following the President's speech LANG and PEZZOLA accompanied other citizens who, at the time, were peaceful protestors as they walked from the speech grounds, and on to the grounds of the U.S. Capitol.

13. During the course of historic events that followed, LANG and PEZZOLA became intertwined in the mayhem of the day for the purpose of saving human lives and or mere frustration associated with government sponsored aggression which had been specifically directed at the Trump supporters.

14. It is not in dispute that LANG was recorded by way of video, and is further credited for saving the lives of two American citizens, Phillip Anderson, and Tommy Tatum.

15. LANG also attempted to save the life of Rosanne Boyland, the pregnant young woman who ultimately died of injuries suffered during the unrest at the Capitol on the relevant day.

16. During the events of January 6, 2021, PEZZOLA was recorded by way of video and captured in a moment of anger, frustration and rage where PEZZOLA is depicted destroying a single window that was located on the east side of the U.S. Capitol structure.

17. The video recorded actions of PEZZOLA, prompting the federal government to subject him to prosecution by way of Criminal Indictment in the days to follow.

18. In the course of LANG'S life saving attempts he experienced physical contact with uniformed police officials, prompting the federal government to subject LANG to prosecution by way of Criminal Indictment by the federal government in connection with the events that transpired at the U.S. Capitol that day.

19. On February 9, 2021, Articles of Impeachment were introduced by the majority of Congressional House Democrats.

20. For relevance to the instant matter, the Article of Impeachment charged that Trump, "...[I]ncited by President Trump, members of the crowd he had addressed, in an attempt to ... interfere with the Joint Session's solemn constitutional duty to certify the results of the 2020 Presidential election, unlawfully breached and vandalized the Capitol, injured and killed law enforcement personnel, menaced Members of Congress, the Vice President and Congressional personnel, and engaged in other violent, deadly, destructive, and seditious acts,"...

21. On February 13, 2021, Trump was acquitted of all charged allegations within the Articles of Impeachment.

22. On July 1, 2021, the Democrat controlled, Congressional House of Representatives formed a constitutionally deficient group, previously identified in



this pleading as “the Committee”, in effort to unlawfully employ the criminal justice system as a political means to achieve through the back door, what due process and the Senate Impeachment Trial’s acquittal, denied to the Democratic Party by way of the front door.

23. On August 20, 2021 the Federal Bureau of Investigation (FBI) determined that there was scant evidence of a planned insurrection on January 2, 2021.

24. Trump has and continues to contemplate another national campaign for the 2024 nomination for President of the United States.

25. On June 9, 2022, the Committee produced or caused to be produced and released, a video production to CNN and other media outlets, claiming that the production was a January Sixth Evidentiary Exhibit and averring that the production was “Never – before seen video footage of the riot.”

26. Taken from selected footage from various video sources the defendants acquired segments of EVANS utilizing a load speaker on January 6, 2021, and during the recitation of the relevant utterances from Trump as set out in ¶ 9 to the herein Complaint.

27. The Committee had willfully and with fraudulent intent to deceive, criminally altered the time of Evans’ actual broadcasted event from the time of 4:10 PM EST to 2:24 PM EST, and in a manner so as to deceive and to create the

illusion that Evans was using the words of Trump in real time to incite unlawful rioting and or the murder of Mike Pence.

28. The Committee thereafter proceeded to utilize the image of EVANS, PEZZOLA and LANG, in a way to further promote its politically based agenda to substantiate criminal conduct so as to justify referral to the Department of Justice for the criminal prosecution of TRUMP in relations to inciting the riot and events of January 6, 2021.

29. Moreover, the defendants positively identified an image within its manufactured video and specifically for evidentiary value, as that of Pezzola, absent the due process safeguards in which the Constitution guarantees for accuracy challenges.

30. Instead Pezzola has been personally identified, placed on trial by the Legislative Branch, and convicted by the Committee as having been a “Proud Boy” and an “insurrectionist” without the rightful benefit of adversarial proceeding before the Judiciary.

31. The respondents broadcasted or caused its evidentiary video to be broadcasted by way of television and or video streaming devices to hundreds of millions of Americans, and potential jurors with intent to obscure the facts on the merits and to taint or otherwise influence the jury pool against the defendants and in favor of criminal convictions in furtherance of a political agenda.

32. The Respondent's intended outcome however, is predicated in part upon theoretical conduct in which the Supreme Court of the United States has determined to be non-criminal political speech under the First Amendment, which rest beyond the reach of criminal statutes.

33. Further, because an accused is not entitled to a hearing before a grand jury, nor to present evidence, nor to be represented by counsel; the Democratic controlled District of Columbia, and any federal grand or petite jury derived thereof, may act fallible but secretly, and in a manner normally abhorrent to due process.

#### CAUSE FOR INJUNCTIVE RELIEF UNDER 28 U.S.C § 1983

XV. The injunctive relief power of the Court is proper under the instant § 1983 action, where defendants have far exceeded the constitutionally limited Legislative authority of the United States Congress and have encroached upon or otherwise usurped the Constitutional authority of the Federal Judiciary and have acted against private U.S. citizens<sup>6</sup>. Moreover, the actions of the defendants have and will continue to deprive the plaintiff's of Constitutional Due Process Rights, to include

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<sup>6</sup> But the power to investigate, broad as it may be, is also subject to recognized limitations. It cannot be used to inquire into private affairs unrelated to a valid legislative purpose. Nor does it extend to an area in which Congress is forbidden to legislate. Similarly, the power to investigate must not be confused with any of the powers of law enforcement; those powers are assigned under our Constitution to the Executive and the Judiciary. *Quinn v. United States*, 349 U.S. 155, 161 (1955)

the original target who is the unnamed private person to its scheme. That would be Donald J. Trump.

CLAIM FOR INJUNCTIVE RELIEF

XVI. THE SELECT JANUARY SIX COMMITTEE, BENNIE THOMPSON, ADAM SCHIFT, ZOE LOFGREN, ELAINE LURIA, PETE AGUILAR, STEPHANIE MURPHY, JAMIE RASKINS, ELIZABETH CHENEY, ADAM KINZINGER, are sued individually and collectively for injunctive relief, in that, the defendants be permanently enjoined from investigating, subpoenaing, concluding, recommending, taking testimony of or from, or making criminal referrals pertaining to private citizens to include the herein named Plaintiffs, relating to the events of January 6, 2021.

PRAYER AND DEMAND FOR JURY TRIAL

XVII. For all the reasons presented within this Civil Complaint, the Plaintiff through their attorneys demands a trial by jury of all facts in controversy and for Attorneys Fees. Further the Plaintiff prays that this Honorable Court grant Injunctive Relief, and all other relief that this Court determines to be equitable and just.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Mark Lieberman', with a horizontal line extending to the right.

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